

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

UNITED STATES OF AMERICA,

Criminal No. 03-137(RHK/AJB)

Plaintiff,

ORDER

v.

RICHARD LEE RUBIN,

Defendant.

The Government has moved to dismiss this Court's March 15, 2004, Order by which Defendant Richard Rubin was civilly committed. Counsel for the Defendant does not oppose dismissal of the Order.

On December 23, 2003, Defendant Richard Lee Rubin was found not guilty only by reason of insanity on Counts 1 and 2 of the Indictment in this case pursuant to 18 U.S.C. § 4242(b)(3). On March 15, 2004, this Court ordered that Rubin be civilly committed until such time that a state assumed responsibility for him or until he could be released under conditions and at a time when he would not be a danger to others, whichever came earlier.

On January 26, 2011, the Minnesota District Court for the Ninth Judicial District issued an order committing Richard Lee Rubin to the Minnesota Sex Offender Program. Rubin is currently under the State's care and in its custody.

Based on all the files, records, and proceedings in this case and pursuant to 18 U.S.C. § 4243(e) and this Court's March 15, 2004, Order, **IT IS HEREBY ORDERED:**

1. The March 15, 2004, Order in this case is **DISMISSED**; and
2. The Defendant is released to the custody and care of the State of Minnesota.

Dated: April 13, 2011

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge